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EXAMINER	
TRUONG, LECHI	
ART UNIT	PAPER NUMBER
2194	

DATE MAILED: 07/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/896,207	MUHLESTEIN ET AL.	
	Examiner	Art Unit	
	Lechi Truong	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *5/1/06*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17 and 20-37* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17 and 20-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-17, 20-37 are presented for the examination. Claims 18-19 are canceled.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Glass (US. Patent 6,629,128 B1) in view of Gardner (US. Patent 6,058,391).

4. **As to claim 1,** Glass teaches the invention substantially as claimed including: the command line utility (interface generator 250 is a command line predevelopment utility, col 19, ln 10-14/ Fig. 3/ 10/11/ proxy object 154, col 14, ln 24-30/ the interface generator 250 is used during the previously described dynamic generation of remote proxies, col 19, ln 44-46), an object mode command (type object 170, col 14, ln 26-32/client side type generator, col 17, ln 54-58/ col 18, ln 47-53), one or more commands for engaging, from a management station on a network, an operating system (a set of function objects, col 14, ln 26-32/ function objects 210, col 18, ln 47-53/ client 102, network 106, server 104, Fig. 5/ col 2, ln 35-59/ col 11, ln 62-66), an object mode target (the method of server object 110, col 17, ln 54-58, col 18, ln 47-53), an object mode command schema to define correspondence between one or more commands (col

17, ln 50-58/ col 18, ln 47-55), the one or more commands generated by the command schema and configured to operate against the target schema through the command line utility (col 13, ln 62-67/ col 14, ln 24-32 and ln 38-40/ col 17, ln 50-58/ col 18, ln 47-55), one target station (server system 14, col 5, ln 37-42), one target station accessible over a network(col 5, ln 37-42).

5. Glass does not explicit teaches a command schema including one or more commands enabling at least one of retrieval of management information from and initiation of a management service through an object model target schema, an interactive user interface configured to receive the one or more commands in the command schema from a user of the management station, allowing the user to formulate an instant request for at least one of management information and management services and communication a response of the at lest one selected target station to the user, interpret the one ore more commands from the command schema to cause one of the retrieval of management information. However, Gardner teaches a command schema including one or more commands enabling at least one of retrieval of management information from and initiation of a management service through an object model target schema (access to the stored views through a view utility. To retrieve the information from the relational database, the user simply uses the view utility to select a view from among the views assigned to the user. Upon user selection a view, the view utility create a SQL database command to retrieve the information in the relational database that corresponds to the selected view, col 4, ln 19-24/ col 5, ln 61-67/ col 7, ln 49-55. col 14, ln 13-28), an interactive user interface configured to receive the one or more commands in the command schema from a user and communication a response of the at least one target station to the user (the view utility include an easy use graphical user interface for allowing an administrator to create and .... The

view utility also includes program logic for retrieving view from the view database [a command schema], translating the view definition stored in the view database into SQL commands, issuing the SQL commands to the database, col 5, ln 61-67/ col 6, ln 1-5/ Fig. 4), interpret the one ore more commands from the command schema to cause one of the retrieval of management information (retrieving views from the view database translating the view definitions stored in the view database into SQL commands, issuing the SQL commands to the database, col 5, ln 65-67 to col 6, ln 1-3/col 14, ln 22-34).

6. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Glass and Gardner because Gardner's scheme would improve the efficiency of Glass's system by allowing a user to easily retrieve only those records and fields of a table that are interest to the user, without requiring the user to invest time and effort in learning SQL and structure of database.

7. **Claims 2-17, 20-26, 33, 37** are rejected under 35 U.S.C. 103(a) as being unpatentable over Glass (US. Patent 6,629,128 B1) in view of Gardner (US. Patent 6,058,391), as applied to claim 1 above, and further in view of Memmontt (US. 6,560,591 B1).

8. **As to claim 2**, Glass and Gardner do not explicit teach an alias class, a command template, a single command. However , Memmontt teaches an alias class (class 1, col 5, ln 18-30/ col 4, ln 40-60), a command template (list, col 5, ln 18-30), a single command (sub-class, col 5, ln 18-30).

9. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Glass, Gardner and Memmott because Memmott's an alias class, a command template, a single command would improve the flexibility of Glass's system by allowing several distributed management schemas attempt to over-come vendor and platform differences by providing a standard framework for communication of management data.

10. **As to claim 3**, Memmontt teaches a verb class/ a format class/a connection class as a subclass (subclass, col 5, ln 17-30/ the next node in the decision tree, col 4, ln 40-60), each instance of the verb class/ format class/ connection class (a storage device or a display devices, col 4, ln 36-60), a list of properties (list B /C, col 6, ln 18-30/ col 5, ln 46-60/ col 8, ln 1-15), a connection to a target namespace (the namespace of the data provider, col 5, ln 46-60).

11. **As to claim 4,** Memmontt teaches a parameter class as subclass (sub-sub class, col 5, ln 18-30), each instance of the parameter class resenting parameters (internal to the system or external, col 4, ln 36-60).

12. **As to claim 5,** Memmontt teaches a property class as a subclass to the format class (sub-sub class, col 5, ln 18-30), each instance of the property class representing property value (temperature, hard disk drive status, col 4, ln 55-60), a list of properties (list corresponding to queries, col 4, ln 55-60).

13. **As to claims 6, 7**, Memmontt teaches a localized string class/ a qualifiers class (class 1, class 2, col 5, ln 18-30), each instance (a hardware device or software application, col 4, ln 36-60), language specific text/ qualifiers (CPU speed/ capacity... col 4, ln 40-60/ version, col 7, ln 50-67).

14. **As to claim 8**, Memmontt teaches a see-also association (a list, col 4, ln 55-60/ col 5, ln 18-30), each instance (CPU speed and or temperature... col 4, ln 40-60), an alias (class 1/ class 2, col 5, ln 18-30).

15. **As to claim 9**, Memmontt teaches role-oriented (class, subclass, col 5, ln 18-30), namespace (namespace, col 5, ln 48-60/ col 6, ln 45-55), command related to particular administrative tasks are found together (all queries relating to a particular hardware or software component or all queries within the same class or subclass, col 7, ln 50-67), other parts thought the decision tree may lead to lists corresponding to queries relating to other hardware components (CPU speed and or / temperature, hard disk status and / or capacity, et al ., col 4, ln 55-60).

16. **As to claims 10, 11**, Memmontt teaches the generation of additional commands to added/ permits reconfiguration of the one or more commands (upgrade components and/ or components added later, col 5, ln 18-30).

17. **As to claim 12**, it is an apparatus claim of claims 2-8; therefore, it is rejected for the same reasons as claims 2-8.

18. **As to claim 13**, Memmontt teaches target scheme (data requestor, col 3, ln 16-41), a WMI object mode (WMI, col 3, ln 16-41).

19. **As to claim 14**, Memmontt teaches a plurality of command schemas (class 1/ class 2, col 5, ln 18-30), an instant of one or more commands (subclass, col 5, ln 18-30).

20. **As to claim 15,** Memmontt teaches a local machine/ remote machines (different machine and communication, col 3, ln 12-25).

21. **As to claim 16**, it is an apparatus claim of claim 1 and 12; therefore, it is rejected for the same reasons as claims 1 and 12 above. In additional, Gardner teaches alias instance representing the at least on command (col 8, ln 15-20).

22. **As to claim 17**, it is an apparatus claim of claim1; therefore, it is rejected for the same reason as claim 1 above. In additional, Gardner teaches interactive interface utility (the view utility, col 5, ln 61-65), a command line interface utility configured to receive textual entry of the user command (col 7,ln 30-35/ col 12, ln 20-27).

23. **As to claims 20-23, 25**, they are apparatus claims of claims 1, 9-12; therefore, they are rejected for the same reasons as claims 1, 9-12.

24. **As to claim 24,** it is an apparatus claim of claim 1, 17; therefore, it is rejected for the same reason as claim 1, 17 above. In additional, Gardner teaches a set of commands for directing the configuration and the behavior of management application (col 15, ln 32-37/ col 16, ln 56-65), a command schema defining mapping between the set of commands and instructions understandable by the second object model (col 14, ln 10-16/ ln 29-40).

25. **As to claim 26,** Memmontt teaches second object model (data requestor 110, col 3, ln 26-40), a WMI object model (WMI, col 3, ln 26-40).

26. **As to claim 33**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above. In additional, Memmontt teaches a user interface (a human user, col 4, ln 5-9), parameter (the query, col 4, ln 5- 9), an alias class (class 1/ class 2, col 5, ln 20-30).

27. **As to claim 37**, it is an apparatus claim of claim 33; therefore, it is rejected for the same reason as claim 33 above.

28. Claims **27-32** are rejected under 35 U.S.C. 103(a) as being unpatentable over Memmontt et al (US. 6,560,591 B1) in view of Gardner (US. Patent 6,058,391)

29. and further in view of Steve (Network and System Management with XML).

30. **As to claim 27,** Memmontt teach a command (the query, col 3, ln 26-48), interface (the data resolver 120/ data provider 130, col 3, ln 42-62/ selection task P120 as a decision tree, col 4, ln 21-60/col 5, ln 18-30/ interface module 140, col 8, ln 63-67 to col 9, ln 1-19), an alias (class 1/ class 2, col 5, ln 18-30/ decision tree, col 4, ln 22-60), interpreting (error handing/ time out occurs, col 6, ln 25 –58/ Fig. 8), based on the alias (determine whether further list entries, col 6, ln 25-42), the current operating environment of the command line interface(response has been received from the data provider, col 6, ln 42-58), receiving a command through a command line interface(the query may be received from a data resolver 120, col 4, ln 6-9/ Fig. 1), fetching an alias for the command(a list corresponding to the query characteristic is selected , col 4, ln 9-15/ a query characteristic that indicates class 2, sub-class b and sub-sub-class ii associated with exception list C, col 5, ln 24-27), interpreting the command based on the alias(data providers 130 are visited in a sequence according to the order of the entries in the selected list until data responsive to the query is obtained. If the list is exhausted before such data is obtained, data collection task P125 fails and error is indicated in error handing task, col 4, ln 14-20/ Fig. 4executing(mapping, col 5, ln 47-60), a target namespace (the namespace of provider, col 5, ln 47-60), executing one ore more commands as one or more WMI API calls (col 9, ln 10-15), XML form (extensible markup language (XML), col 3, ln 27-40), receiving WMI data in XML (col 3, ln 27-45) presenting the WMI data through the command line interface(data provider

may be a object manager or database that collects management information and services queries according to particular distributed management schema. Data resolver 120 receives data response to the request from data provider 130 and a response based at least in part upon the data is then returned by data resolver to data requestor, col 3, ln 55-62).

31. Memmott does not explicit teach, a user through an interactive command line interface, target system is accessible via a network. However, Gardner teaches a user through an interactive command line interface (the view utility will display the results of the SQL commands in the GUI and depending on whether the user has update privileges, col 6, ln 1-6), target system is accessible via a network (a network interface, col 18, ln 20-24).

32. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Memmott and Gardner because Gardner's a user through an interactive command line interface, target system is accessible via a network would improve the efficiency of Memmott's system by allowing a user to easily retrieve only those records and fields of a table that are interest to the user, without requiring the user to invest time and effort in learning SQL and structure of database.

33. Memmott and Gardner do not teach an XSL style sheet. However, Steve teaches command line (a command line interface, page 5 of 8, ln -8), an XSL style sheet (XSL, page 4of 8, ln 38-45 to page 5 of 8, ln 1-8).

34. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Memmott, Gardner and Steve because Steve's XSL would improve the efficiency of Memmott and Gardner's systems by displaying a style sheet which will allow user to view a body of data expressed in XML format.

35. **As to claim 28**, Memmott teaches an instance of an alias class (CPU speed an / or temperature, col 4, ln 50-60).

36. **As to claim 29**, Memmott teaches command entries (list entries, col 6, ln 45-55).

37. **As to claim 30**, Memmott teaches a primary class (class 1, class 2, col 3, ln 20-30).

38. **As to claims 31, 32**, they are apparatus of claims of claims 12, 27; therefore, they are rejected for the same reasons as claims 12, 27 above.

39. Claims **34** - 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glass (US. Patent 6,629,128 B1) in view of Gardner (US. Patent 6,058,391), as applied to claim 1 above, and further in view of Steve (Network and System Management with XML).

40. **As to claim 3,** Glass teaches data (the query characteristic, col 6, ln 45-58), user interface (human user, col 4, ln 5-9), target object (the distributed management schemes for the query / a similar scheme such as Windows Management Interface, col 3, ln 28-40/ a particular distributed management scheme, col 3, ln 54-61), XML (XML, col 3, ln 29-40), the alias (class 1/ class 2, col 5, ln 20-30).

41. Glass and Gardner do not teach an XSL style sheet, formatting the data, displaying data. However, Steve teaches an XSL style sheet (XSL, page 4of 8, ln 38-45 to page 5 of 8, ln 1-8), formatting the data, displaying data (the XML document can also be format and displayed with Cascading Style Sheets (CSS) ... XSL which take better qualities of CSS, page 4 of 8, ln 38-45).

42. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Glass, Gardner, and Steve because Steve's XSL, the XML

document can be formatted and displayed with Cascading Style Sheets (CSS)... XSL would improve the flexibility of Glass and Gardner's systems by allowing the user to view the data easily.

43. **As to claim 35**, Steve teaches command line user interface (a command line user interface, page 5 of 8, ln 1-8).

44. **As to claim 36**, Steve teaches graphic user interface (GUI, page 5 of 89, ln 1-8).

Response to the argument:

45. Applicant amendment filed on 5/1/06 has been considered but they are not persuasive:

Applicant argued in substance that :

(1) Glass's command line predevelopment utility for use by developers does not teach or suggest the command line utility.

(2) Gardner does not teach an interface that allows a user to formulate and enter instant commands.

(3) Neither Glass nor Gardner teaches or suggests engaging an operating system on a target system.

(4) Neither Glass nor Gardner teaches or suggests the operability of initiating a management service on a target station.

(5) Neither Glass nor Gardner teaches or suggest that a user can use a management station for engaging an operating system on a selected target station.

46. Examiner respectfully disagreed with Applicant's remarks:

As to the point (1), please see mappings for the newly added limitations and point (3) below.

As to the point (2), Gardner clearly teaches allowing a user to formulate and enter instant commands. Gardner teaches upon user selection a view, the view utility create a SQL database command to retrieve the information in the relational database that corresponds to the selected view, col 4, ln 19-24/ col 5, ln 61-67/ col 7, ln 49-55. col 14, ln 13-28), an interactive user interface configured to receive the one or more commands in the command schema from a user and communication a response of the at least one target station to the user (the view utility include an easy use graphical user interface for allowing an administrator to create and .... The view utility also includes program logic for retrieving view from the view database [a command schema], translating the view definition stored in the view database into SQL commands, issuing the SQL commands to the database, col 5, ln 61-67/ col 6, ln 1-5/ Fig. 4), interpret the one ore more commands from the command schema to cause one of the retrieval of management information (retrieving views from the view database translating the view definitions stored in the view database into SQL commands, issuing the SQL commands to the database, col 5, ln 65-67 to col 6, ln 1-3/col 14, ln 22-34).

As to the point (3), Glass teaches a client system that includes a client application that accesses a server/target object on a server system (col 11, ln 62-66/ client 102, network 106, server 104, Fig. 5) and how early operating systems lacks support for inter-application communications (col 2, ln 35-59), therefore is inherent that by accessing the a server object the client is engaging an operating system on the server system (i.e. target system).

As to the point (4), Gardner teaches initiation of a management service through an object model target schema (access to the stored views through a view utility. To retrieve the information from the relational database, the user simply uses the view utility to select a view from among the views assigned to the user. Upon user selection a view, the view utility create a SQL database command to retrieve the information in the relational database that corresponds to the selected view, col 4, ln 19-24/ col 5, ln 61-67/ col 7, ln 49-55. col 14, ln 13-28).

As to the point (5), see point (3) above.

47. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

48. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (571) 272 3767. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomson, William can be reached on (571) 272 3718. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR of Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

LeChi Truong

July 21, 2006

WILLIAM THOMSON
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